IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 4TH JULY 2007 / 13TH ASHADHA 1929

WP(C).No. 21878 of 2004(D)

PETITIONER:

E.BAHAVUDEEN,
PANAYIL VEEDU, KANYAKULANGARA, VEMBAYAM P.O.,
TRIVANDRUM DISTRICT.

BY ADV. SRI.G.S.REGHUNATH
SRI.SUBRAMANIAN POTTI.R

RESPONDENTS:
----

1. NISAR, S/O. MOHAMMED KUNJU,
SHAN MANZIL, KOCHALUMMOODU, KANYAKULANGARA,
KONCHIRA P.O., TRIVANDRUM.

2. THE DISTRICT COLLECTOR,
COLLECTORATE, TRIVANDRUM DISTRICT.

3. THE REVENUE DIVISIONAL OFFICER,
TRIVANDRUM.

4. THE MANIKAL GRAMA PANCHAYATH,
PIRAPPANCODE P.O., TRIVANDRUM.

5. THE DISTRICT OFFICER,
MINING AND GEOLOGY, TRIVANDRUM.

6. THE DEPUTY SUPERINTENDENT OF POLICE,
ATTINGAL.

7. THE SUB INSPECTOR OF POLICE,
VENJARAMOODU, TRIVANDRUM DISTRICT.

BY ADV. SRI.G.SUDHEER R1 TO R4
GOVERNMENT PLEADER SRI. MANOJKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 04/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 21878/2004 D

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE ROUGH SKETCH.

EXT.P2. COPY OF THE NEWS ITEM APPEARED IN THE MATHRUBHOOMI DAILY DT. 8/8/2003.

EXT.P3. COPY OF THE COMPLAINT TO THE CI OF POLICE BY THE PETITIONER.

EXT.P4. COPY OF THE COMPLAINT BEFORE THE R5 BY THE PETITIONER.

EXT.P5. COPY OF THE COMPLAINT BEFORE THE R4 DT. 12/12/03 BY THE PETITIONER.

EXT.P6. COPY OF THE COMPLAINT BEFORE THE R3 BY THE PETITIONER.

EXT.P7. COPY OF THE COMPLAINT BEFORE THE R7 DT. 30/4/2004 BY THE PETITIONER.

EXT.P8. COPY OF THE COMPLAINT BEFORE THE R1 BY THE PETITIONER ON 22/06/04.

EXT.P9. COPY OF THE BEFORE THE SUPERINTENDENT OF POLICE (RURAL) ON 5/7/04 BY THE PETITIONER.

EXT.P10. COPY OF THE NEWS ITEM DAILY DT. 8/7/04 APPEARED IN THE MATHYAMAM.

RESPONDENT'S EXHIBITS

EXT.R1A. COPY OF THE SALE DEED NO. 2803/2003 OF THE KANNAYAKULANGARA SUB REGISTRY EXECUTED BY NIZAR AND KABEER DT. 30/10/2003.

EXT.R1B. COPY OF THE RECEIPT BY THE VILLAGE OFFICER, MANICKAL DT. 8/12/2003.

EXT.R1C. COPY OF THE BUILDING PERMIT BY THE MANICAKL GRAMA PANCHAYATH TO THE R3 DT. 29/1/2004.

EXT.R1D. COPY OF THE APPROVED PLAN BY THE MANICAKL GRAMA PANCHAYATH DT. 29/1/2004.

True copy

tga

KURIAN JOSEPH J.

W.P.(C) No.21878 of 2004

Dated 4th July, 2007.

J U D G M E N T

Petitioner approached this Court aggrieved by the alleged laches on the part of the authorities in effectively implementing the orders passed by respondents 2 and 3 in the matter of removal of sand by the first respondent. In view of the intervening developments, in case the petitioner has still any grievance left, it will be open to the petitioner to approach the second respondent, in which case appropriate action will be taken in accordance with law.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

tgs

KURIAN JOSEPH, J.

O.P. NO. OF 200

J U D G M E N T

Dated 4th July, 2007.